

## § 36.112

the good cause for rejecting the submission.

(c) If the Director rejects a submission under paragraph (c) of this section, the governing body or school board may submit another waiver and proposal for approval. The standards in this part remain in effect until the Director approves alternative standards.

### **§ 36.112 Can a homeliving program be closed, transferred, consolidated, or substantially curtailed for failure to meet these standards?**

No, a homeliving program cannot be closed, transferred to any other authority, consolidated, or its programs substantially curtailed for failure to meet these standards.

### **§ 36.120 What type of reporting is required to ensure accountability?**

The homeliving program must provide to the appropriate local school board or alternative board such as a homeliving board, the tribal governing body, BIE, and the Secretary of the Interior, an annual accountability report within 45 days following the end of the school year consisting of:

- (a) Enrollment figures identified by the homeliving count period;
- (b) A brief description of programs offered;
- (c) A statement of compliance with the requirements of this part and, if the program is not in compliance, recommendations for achieving compliance; and
- (d) Recommendations to improve the homeliving program including identification of issues and needs.

## **PART 37—GEOGRAPHIC BOUNDARIES**

Sec.

37.100 What is the purpose of this part?

37.101 What definitions apply to the terms in this part?

37.102 How is this part organized?

37.103 Information collection.

### **Subpart A—All Schools**

37.110 Who determines geographic attendance areas?

37.111 What role does a tribe have in issues relating to school boundaries?

37.112 Must each school have a geographic attendance boundary?

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### **Subpart B—Day Schools, On-Reservation Boarding Schools, and Peripheral Dorms**

37.120 How does this part affect current geographic attendance boundaries?

37.121 Who establishes geographic attendance boundaries under this part?

37.122 Once geographic attendance boundaries are established, how can they be changed?

37.123 How does a Tribe develop proposed geographic attendance boundaries or boundary changes?

37.124 How are boundaries established for a new school or dorm?

37.125 Can an eligible student living off a reservation attend a school or dorm?

### **Subpart C—Off-Reservation Boarding Schools**

37.130 Who establishes boundaries for Off-Reservation Boarding Schools?

37.131 Who may attend an ORBS?

AUTHORITY: Public Law 107–110, 115 Stat. 1425.

SOURCE: 70 FR 22204, Apr. 28, 2005, unless otherwise noted.

### **§ 37.100 What is the purpose of this part?**

(a) This part:

(1) Establishes procedures for confirming, establishing, or revising attendance areas for each Bureau-funded school;

(2) Encourages consultation with and coordination between and among all agencies (school boards, tribes, and others) involved with a student's education; and

(3) Defines how tribes may develop policies regarding setting or revising geographic attendance boundaries, attendance, and transportation funding for their area of jurisdiction.

(b) The goals of the procedures in this part are to:

(1) Provide stability for schools;

(2) Assist schools to project and to track current and future student enrollment figures for planning their budget, transportation, and facilities construction needs;

(3) Adjust for geographic changes in enrollment, changes in school capacities, and improvement of day school opportunities; and

(4) Avoid overcrowding or stress on limited resources.